



SPAC / LFN

(Revised 5/91 Pub.605)

FORM 11-3

11-17

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kuo Chuan WU et al.

Serial No.: 10/828,917

Filed: APRIL 21, 2004

For: VERSATILE OPTICAL STORAGE DRIVING DEVICE FOR MULTIMEDIA AUDIO/VIDEO SYSTEM

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

NOTE: A terminal disclaimer **should not** accompany a petition based on unintentional abandonment. Notice of July 9, 1985 (1056 O.G. 60-61).

NOTE: An application abandoned under 37 CFR 1.53(d) for failure to timely provide the appropriate filing fee, oath or declaration and/or surcharge may **not** be revived under the procedure of 37 CFR 1.137(b).

1. This application became abandoned on January 17, 2008.

NOTE: Extensions under 37 CFR 1.136 are available only if asked for "prior to or with the response." Accordingly, if the question of abandonment arises when the provisions of §1.136 can no longer be used then the application is abandoned with the unextended time for response expired. Therefore, no extension fees are due on a petition for revival.

2. This petition is filed:

☒ within one year of the date of abandonment.

NOTE: Under very limited conditions a petition to revive for unintentional abandonment may exceed the one year limit when abandonment is due to action or inaction by the applicant and the PTO performs a positive documented official act which could lead a reasonable individual to conclude that the action or inaction was appropriate. Notice of August 26, 1985 (O.G. 4).

☐ within three months of the date of the first decision on a petition to revive under 37 CFR 1.137(a) which was filed within one year of the date of abandonment.

(check next box if applicable)

☐ the three month period has been extended up to _____.

NOTE: The non-statutory three month period may be extended up to four months if a petition for an extension of time and the fee set in 37 CFR 1.17(a) to (d) are filed with or prior to this petition.

Certificate of Mailing (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 4, 2008.

03/10/2008 RFEKADU1 00000014 10828917

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Amy Klein
Amy Klein

3. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

4. Proposed response

☐ has been filed.

☒ is attached.

(complete the following if applicable)

NOTE: The PTO accepts the filing of a continuing application as a response under 37 CFR 1.137. To facilitate processing in such a case the petition to revive should specifically refer to the filing of a continuing application and also include an express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application. Notice of May 13, 1983, 1031 O.G. 11-12.

☐ the response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application co-pending with this application.

5. Fee (37 CFR 1.17(m))

Application Status is:

☒ small business entity-fee

☐ other than small entity-fee \$ _____

6. Payment of fee:

☒ Enclosed please find check for \$ 770.00 _____

☒ Charge Account 03-2468 for any additional fee required.

☐ Charge Account 03-2468 the sum of \$ _____. A duplicate of this petition is attached.

7. Verification:

NOTE: The statement that the abandonment was unintentional must be verified statement if made by a person not registered to practice before the PTO. 37 CFR 1.137. Check the next box if this is the case.

☒ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Joseph J. Orlando
(Type or print name of person mailing paper)

Date: March 4, 2008

Joseph J. Orlando
(Type or print name of person making statement)

Reg. No: 25,218


SIGNATURE OF ATTORNEY

Tel. No.: (516) 365-9802

Joseph J. Orlando
type or print name of attorney

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